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MONTANA LEGISLATIVE HISTORY

Chapter 675 19 83

Bill H 228 S _____ Original bill & history ____C

H. Committee on Natural Resources		S. Committee on Natural Resources	
Hearing Date(s) Feb 02	✓ C	Hearing Date(s) Mar 16	✓ C
Feb 18	✓ C	Mar 18	✓ C
_____	____C	_____	____C
_____	____C	_____	____C
Date Out Feb 19	✓ C	Mar 18	✓ C

Did this bill originate in an interim committee? ____Yes ____No

Committee _____ Report _____

THE CREDIT BE SUBJECT TO AD VALOREM TAX; AMENDING SECTIONS ...; PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE.
BY REQUEST OF: THE OFFICE OF THE GOVERNOR

INTRODUCED: 01/13/83
REFERRED TO COMMITTEE ON TAXATION: 01/13/83
HEARING: 1/20/83
REPORT: 01/26/83, DO PASS
2ND READING: 01/28/83, DO PASS AYES: 88; NAYS: 3
3RD READING: 02/03/83, DO PASS AYES: 92; NAYS: 2

TRANSMITTED TO SENATE: 2/3/83
REFERRED TO COMMITTEE ON TAXATION: 02/04/83
HEARING: 3/3/83
REPORT: 03/03/83, BE CONCURRED IN
2ND READING: 03/05/83 AYES: 49; NAYS: 0
3RD READING: 03/08/83 AYES: 48; NAYS: 0

RETURNED TO HOUSE: 3/8/83

TRANSMITTED TO GOVERNOR: 3/14/83
SIGNED: 3/18/83, CHAPTER 134

HB 228 -- QUILICI, KITSELMAN, PAVLOVICH, ET AL. -- PROMOTING CONSISTENCY AND CONTINUITY IN THE ADOPTION AND APPLICATION OF ENVIRONMENTAL RULES; AMENDING SECTION ....
BY REQUEST OF: THE JOINT SUBCOMMITTEE ON BUSINESS

INTRODUCED: 01/13/83
REFERRED TO COMMITTEE ON NATURAL RESOURCES: 1/13/83
HEARING: 2/2/83
REPORT: 02/18/83, DO PASS, AS AMENDED
2ND READING: 02/21/83, DO PASS AYES: 78; NAYS: 0
3RD READING: 02/22/83, DO PASS AYES: 100; NAYS: 0

TRANSMITTED TO SENATE: 2/22/83
REFERRED TO COMMITTEE ON NATURAL RESOURCES: 3/1/83
HEARING: 3/16/83
REPORT: 03/18/83, BE CONCURRED IN, AS AMENDED
2ND READING: 03/21/83 AYES: 48; NAYS: 0
3RD READING: 03/23/83 AYES: 49; NAYS: 1

RETURNED TO HOUSE WITH AMENDMENTS: 03/23/83
2ND READING: 03/30/83, BE CONCURRED IN AYES: 53; NAYS: 41
3RD READING: 03/31/83, BE CONCURRED IN AYES: 55; NAYS: 44

TRANSMITTED TO GOVERNOR: 04/11/83
RETURNED WITH AMENDMENTS: 04/15/83

HOUSE
2ND READING: 04/18/83, CONCURRED IN AYES: 94; NAYS: 0
3RD READING: 04/18/83, CONCURRED IN AYES: 100; NAYS: 0

TRANSMITTED TO SENATE: 04/19/83
2ND READING: 04/20/83, BE ADOPTED AYES: 50; NAYS: 0
3RD READING: 04/21/83, BE ADOPTED AYES: 50; NAYS: 0

RETURNED TO HOUSE: 04/21/83

TRANSMITTED TO GOVERNOR: 4/21/83
SIGNED: 4/29/83, CHAPTER 679

229 -- RAMIREZ, GOODOVER, MAZUREK -- TO GENERALLY REVISE AND CLARIFY THE LAWS RELATING TO BUSINESS AND NONPROFIT CORPORATIONS; AMENDING SECTIONS ....
BY REQUEST OF: THE SECRETARY OF STATE

INTRODUCED: 01/14/83
REFERRED TO COMMITTEE ON BUSINESS & INDUSTRY: 01/14/83
HEARING: 1/24/83
REPORT: 01/24/83, DO PASS
2ND READING: 01/26/83, DO PASS AYES: 98; NAYS: 1
3RD READING: 01/28/83, DO PASS AYES: 91; NAYS: 0

TRANSMITTED TO SENATE: 1/28/83
REFERRED TO COMMITTEE ON BUSINESS & INDUSTRY: 01/29/83
HEARING: 3/7/83
REPORT: 03/08/83, BE CONCURRED IN
2ND READING: 03/09/83, AS AMENDED AYES: 49; NAYS: 1
3RD READING: 03/11/83 AYES: 49; NAYS: 0

RETURNED TO HOUSE WITH AMENDMENTS: 03/11/83
2ND READING: 03/30/83, BE CONCURRED IN AYES: 83; NAYS: 0
3RD READING: 03/31/83, BE CONCURRED IN AYES: 94; NAYS: 0

TRANSMITTED TO GOVERNOR: 04/11/83
SIGNED: 4/12/83, CHAPTER 456

230 -- WALDRON -- AUTHORIZING LOCAL GOVERNMENTS TO IMPOSE A TOURIST TAX ON CHARGES FOR THE USE OF HOTEL, MOTEL, AND TOURIST CAMPGROUND FACILITIES; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

INTRODUCED: 01/14/83
REFERRED TO COMMITTEE ON LOCAL GOVERNMENT: 01/14/83
HEARING: 2/15/83
REPORT: 02/21/83, DO NOT PASS
BILL KILLED: 02/22/83

231 -- BRAND, HEMSTAD -- TO CLARIFY THE METHOD FOR CALCULATING THE COST-OF-LIVING ADJUSTMENT TO A RETIREMENT ALLOWANCE FOR A MEMBER OF THE FIREFIGHTERS' UNIFIED RETIREMENT SYSTEM; TO ENSURE PAYMENT OF A RETIREMENT ALLOWANCE TO A FIREFIGHTER WHOSE EMPLOYMENT IS TERMINATED BECAUSE OF THE DISSOLUTION OF A FIRE DEPARTMENT; TO PROVIDE AN ALTERNATIVE METHOD FOR CALCULATING THE COST-OF-LIVING ADJUSTMENT FOR A RETIREE FROM A DISSOLVED FIRE DEPARTMENT; AMENDING SECTIONS ...; AND PROVIDING AN EFFECTIVE DATE.
BY REQUEST OF: THE PUBLIC EMPLOYEES' RETIREMENT DIVISION

INTRODUCED: 01/14/83
REFERRED TO COMMITTEE ON STATE ADMINISTRATION: 01/14/83
HEARING: 1/25/83
REPORT: 01/28/83, DO PASS, AS AMENDED
2ND READING: 02/01/83, DO PASS AYES: 97; NAYS: 0
3RD READING: 02/03/83, DO PASS AYES: 94; NAYS: 0

TRANSMITTED TO SENATE: 2/3/83
REFERRED TO COMMITTEE ON STATE ADMINISTRATION: 02/04/83

HOUSE NATURAL RESOURCES COMMITTEE MINUTES
February 2, 1983

The House Natural Resources Committee convened at 12:30 p.m., on February 2, 1983, in Room 104, State Capitol, with Chairman Harper presiding and all members present except Rep. Neuman, who was excused. Chairman Harper opened the meeting to a hearing on HB 228.

HOUSE BILL 228

REPRESENTATIVE JOE QUILICI, District 84, chief sponsor, said this bill was at the request of the Joint Subcommittee on Business. He said in various hearings they found one of the problems was the changing of the rules after the application was submitted. He said there is a lot of industries that don't like the statutes but will live with them since they are statutory but they don't want the rules changed in the middle of the ball game. This bill says we won't change the rules unless there is a real need. Rep. Quilici said there is an amendment proposed by the Health Department (Exhibit 1) which he supports and Exhibit 2 tells why this amendment is needed. He read Exhibit 2 to the members.

JANETTE FALLON, Montana Chamber of Commerce, said they support the need for this bill. She said they hear a lot from industry saying "don't move the target."

MIKE FITZGERALD, Montana International Trade Commission, said this is a very reasonable and responsible proposal. He said it will make a difference to industries in Montana.

PAT WILSON, Montco/Thermal Energy, said they support the bill. He said he has a prime example. He said they applied for a mine permit application and applied for an air quality permit. He said after the EIS was written he was told that the Board of Health had changed the air quality standards and they could no longer receive a permit under the new regulations although they could have under the old. So, he said, they had to go back to the Board of Health and they had to rehear the regulations county by county. He felt it was not fair when it takes years to develop a project to be told in the middle of the stream that there are now new rules.

Opponents

CHARLES LANDMAN, Montana Environmental Information Center, spoke in opposition and a copy of his testimony is Exhibit 3 of the minutes.

KARL ENGLUND, Northern Plains Resource Council, said they had a couple of problems with the bill. He said the definition of "overwhelming show of need" is undefined and not defined in any other law he knew of. He said this would require litigation to determine. He said he could also

foresee situations where overwhelming might not meet a particular situation. He said this would change federal regulations under acts such as the Clean Air Act which states that implementing regulations must be updated by the state. He said he felt it creates an administrative problem as decisions may need to be made on speculative information. He said the bill needs substanital amending or else it should be killed.

JOAN MILES, Lewis and Clark Health Department, spoke in opposition, although she said they were in support of the idea of consistency. She questioned what the definition of "financial commitment" and "detriment" would be. She said the air quality rules are basically case by case and not just a set rule. She questioned how the policy would affect that. She asked what happens when federal changes in the law require that they change their rules. She said water quality permits are reviewed every five years on a case by case basis and is basically adjusted every five years, and how will this policy affect that. She said probably the biggest problem is conservation. Ms. Miles asked what happens to ranchers around plants with sulpheric emissions and what about fluoride regulations. She said the idea of a policy for consistency should be across the board for both sides. She expressed concern as to what this amendment to the law would do.

REPRESENTATIVE QUILICI closed. He said if the members would look closely at his suggested amendment, it takes care of a lot of the problems expressed by the opponents. He said the developer applicant and the public should be able to rely on the rules that are set down prior to application. He said this was one of the biggest complaints at their hearings.

There were no questions asked by the committee.

Chairman Harper closed the hearing on this bill and opened the hearing on HB 391.

HOUSE BILL 391

REPRESENTATIVE CHRIS STOBIE, District 23, chief sponsor, said the bill asks the Department of State Lands not to follow through with their rule to put up cabin sites for competitive bids, and sets up a procedure statement to value cabin site leases. He said his proposal is to set up a system to appreciate the properties and put a fair market value on the leases. He said the public should not complain too much with this as they have been getting by fairly reasonably - about $25 a year. He said the leases were raised a year ago and now are $75 a year. He said these prices would continue to go up. He said in drafting the bill

VISITOR'S REGISTER

HOUSE NATURAL RESOURCES COMMITTEE

BILL HB 228 DATE 2/2/83

SPONSOR QUILICI

NAME	RESIDENCE	REPRESENTING	SUP-PORT	OP-POSE
Charles Landman	Helena	MEIC		X
Carolle Fallan	Helena	Mont Chamber	X	
Pat Wilson	Bldgs	Montco/Thurman Energy	X	
KARL ENGLUND	MISSOULA	N.P.R.C.		X
Peter Rice	Missoula	self		✓
Ward Shanahan	STEVENSVILLE MT		X	
Jon Miles	Lewis & Clark Health Dept	self		—
Joe Quilici	Butte	Dio & Y		

IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR LONGER FORM.

WHEN TESTIFYING PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

FORM CS-33

Exhibit 6
Quilici Read

TESTIMONY FOR HOUSE BILL 228

The primary reason for amending HB 228 is to clarify in law the point in time in which an applicant demonstrates a "financial commitment." Without a specific defining event, (e.g., application for an environmental permit), it would be left up to the courts to determine what constitutes a "financial commitment." The easiest way to avoid unnecessary and costly law suits that neither benefit private parties nor the state, is to clarify in statute what is meant by "financial commitment."

I don't believe public relations personnel or hiring of a permit coordinator, as an example, is or should be construed as constituting a "financial commitment." It would also be a mistake to attempt to put a dollar figure on the financial commitment definition since this may vary very substantially among applicants. Therefore, the best approach, as set out in this bill, is to assume that the completion and submission of an application for an environmental permit, constitutes a "financial commitment."

The Montana Environmental Information Center

- P.O. Box 1184, Helena, Montana 59624 (406) 443-2520
- Flathead Office 433 S. Main, Kalispell 59901 (406) 755-7763

Testimony in opposition to HB 228.

Mr. Chairman, members of the Committee, my name is Charles Landman. I speak on behalf of the 1300 families who belong to the Montana Environmental Information Center.

We strongly support the idea that there should be consistency and continuity in the adoption and application of all laws, including environmental laws. However, we believe there are serious problems with the approach taken, and the language used by HB 228. This bill raises a number of important questions which we hope you will consider carefully in your deliberations:

o What is a "financial committment" sufficient to trigger the protection of this bill?

o What is an "overwhelming showing of need"? Is the discovery of toxics in drinking water an "overwhelming showing of need" sufficient to justify changing a rule or modifying a permit? Is the discovery that lead is more dangerous to children in smaller amounts an "overwhelming showing of need"?

o How will the state or an agency know when a situation is serious enough to justify changing a rule or modifying a permit? Will the state become entangled in lawsuits when it tries to do

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'he Montana Environmental Information Center

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so?

o Finally, how does this bill affect the public's right to a "clean and healthful environment" guaranteed by the Montana Constitution? (Art.II, sec.3).

This bill raises important questions about the guarantees of consistency and fairness that are at the core of our democratic process. We urge you to consider them carefully. Thank you.

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Rep. McBride asked what does the public get from a licensed well driller versus the unlicensed driller. Mr. Lindsay replied that the unlicensed are drilling without supervision. To get a license they have to work one year under a licensed driller, take an exam so you know he knows water well construction and water well laws. Rep. McBride said based on board minutes and board interviews the board knows there are unlicensed drillers operating, why aren't they enforcing the law that all are to be licensed? Mr. Lindsay said this was true 5 to 8 years ago but today the only unlicensed they are aware of are the ones working under supervision of a licensed driller.

Rep. Iverson asked for an example of how the board was not protecting the resources. Rep. Waldron said unlicensed drillers around punching holes and not paying attention to pollution requirements, perforated pipe. Rep. Iverson asked what the board has not done. Rep. Waldron said one thing is to have the complaintant appear in person instead of taking action against the driller which appears to be protecting the driller rather than the complaintant.

Chairman Harper closed the hearing on this bill and opened the meeting to a further executive session.

EXECUTIVE SESSION

HOUSE BILL 806 Rep. Fagg moved to TABLE the bill. The motion carried with Rep. Hand voting no and absent was Rep. Mueller (left a negative vote on bill).

HOUSE BILL 228 Rep. Quilici discussed the amendments which are Exhibit 13 of the minutes.
Rep. Metcalf moved to strike on page 2, lines 16 to 20. He said the whole thing is just a statement of public policy so this language is not needed. Rep. Quilici said he had no objection to this. Rep. Metcalf moved also to accept the amendments No. 1, 2 and 4 on exhibit 13. This motion carried unanimously with those present (absent were Reps. Mueller and McBride).

Rep. Addy moved the bill AS AMENDED DO PASS. This motion carried unanimously with those present (absent now were Reps. Mueller and Nordtvedt).

Meeting adjourned at 3 p.m.

Respectfully submitted,

HAL HARPER, Chairman

Emelia A. Satre, Sec.

Ex. 13

Proposed Amendments to House Bill 228
(Governor's Office)

1. Page 2, line 9.
   Following: ~~"rules"~~
   Strike: "and other government regulations"

2. Page 2, lines 13 and 14.
   Following: ~~"rules"~~
   Strike: "and other government regulations"

3. Page 2, line 16 through line 20.
   Following: ~~"Therefore,"~~ "detriment"
   Strike: lines 16 through 20.
   Insert: "when a person makes financial commitments after completing an application for an environmental permit, it is the policy of the state not to change environmental requirements for such person except upon a showing of a compelling or urgent need to protect public health or the environment, or to comply with federal requirements."

4. Page 2, line 23.
   Following: ~~"of"~~
   Strike: "this part"
   Insert: "90-1-102 through 90-1-109"

Strike

STANDING COMMITTEE REPORT

February 19, 19 83

MR. SPEAKER:

We, your committee on NATURAL RESOURCES

having had under consideration HOUSE Bill No. 228

First reading copy (white color)

A BILL FOR AN ACT ENTITLED: "AN ACT PROMOTING CONSISTENCY AND CONTINUITY IN THE ADOPTION AND APPLICATION OF ENVIRONMENTAL RULES; AMENDING SECTION 90-1-101, MCA."

Respectfully report as follows: That HOUSE Bill No. 228

be amended as follows:

1. Page 2, line 9.
Strike: "and other government regulations"

2. Page 2, lines 13 and 14.
Strike: "and other government regulations"

3. Page 2, line 16 through line 20.
Following: "detriment."
Strike: the remainder of line 16 through line 20

4. Page 2, line 23.
Strike: "this part"
Insert: "90-1-102 through 90-1-109"

AND AS AMENDED
DO PASS

~~DO PASS~~

HAL HARPER
Chairman.

STATE PUB. CO.
Helena, Mont.

48TH LEGISLATIVE SESSION

MINUTES OF
NATURAL RESOURCES COMMITTEE
MONTANA STATE SENATE

March 16, 1983

A regularly scheduled meeting of the Senate Natural Resources Committee was called to order at 12:30 p.m. on Wednesday, March 16, 1983 by Senator Harold L. Dover, Chairman, in Room 405, State Capitol, Helena, MT.

ROLL CALL: Roll was called, with a majority of Senators being present, Senator Tveit excused.

HOUSE BILL 228: Chairman Dover opened hearing and called on Rep. Joe Quilici, Dist. 84. Rep. Quilici said this bill had come out of a subcommittee in Business and Industry of the House, and it is to get economic development started in the state. This came about because it was realized that after filing of an application for permits and doing a great deal of work, some agency would change the environmental rules in the middle of the project. It is not saying there can't be a change, but that there is to be consistency and no changing in the middle of the steam. He stated he believed the language at the bottom should be reinserted, possible another word.

PROPONENTS: Janelle Fallan, Montana Chamber of Commerce said they support the bill, industry has complained about changes in environmental regulations. They have a lot of planning and engineering going into projects and the bill should be made stronger.

Don Reed, Montana Environmental Information Center stated they support the bill as amended. Many of the changes which have affected business have come from the federal level. They would support the bill as is, they are not sure there would be a compelling need or overwhelming need provision needed in it.

Mark Ledbetter, Northern Plains Resource Council stated they support the bill as amended, that it is to our advantage to have consistent regulations. The issue has drawn attention because the environmental regulations are still fairly new. There have been federal laws which have had an effect on the laws that are in place in Montana, and putting language back in that was stronger may cause complications.

OPPONENTS: There were no opponents.

(HB 228, cont.)
Senator Halligan stated there has been discussion of this problem in the hard rock mining subcommittee as well. He thought this bill has merits, but it focuses on one problem and perhaps all areas should be addressed.

Senator Eck inquired why the language was struck on other governmental regulations. Rep. Quilici explained it was felt this might affect other agencies with rulemaking ability that have nothing to do with environmental rules, and this might broaden the scope of this bill.

Senator Van Valkenburg suggested reinserting the language and stating that unless there is a showing of a need by clear and convincing evidence, because this would establish burden of proof. Senator Story stated he had suggested using a compelling need because that is a standard usage. Senator Eck then moved that the bill be amended in the proper area to insert "Clear and convincing evidence". All voted 'aye' and motion carried. Ex. '1' attached.

There was then discussion of reinserting further language that had been removed by the House. After further discussion it was agreed that a subcommittee be appointed to work out further amendments to the bill, Senators Van Valkenburg, Keating and to have them work with Howard Johnson, EQC. Executive action would be taken later.

ACTION ON SJR 20: Senator Lee proposed amendments to the bill, attached as Exhibit '2'. That the title be amended, by striking line 7 through "substantive on line 8, and inserting "the methods and means of providing for implementation of the Montana Environmental Policy Act", and striking the remainder of line 25 following "interim" through line 1 on page 2., and inserting "the methods and means of providing for implementation, promotes informed decision making, establishes effective and uniform procedures, encourages public involvement and provides certainty with respect to the procedural and substantive requirements of the Act." Senator Lee moved the amendments. All voted 'aye' and motion carried.

Senator Halligan then moved that SJR 20 be tabled, all voted 'aye' and motion carried.

ACTION ON HOUSE BILL 68: Senator Lee said the subcommittee met on the bill and offered amendments, attached as Exhibit '3' He said this process would not involve everyone owning boats and there would not need to be noise equipment purchased. The subcommittee had asked Sheriff O'Reilly regarding complaints. He said they only had two calls in four years from people around the lake. Lee asked where complaints were filed?

Not Rec.

PROPOSED AMENDMENTS TO HB 228

1. Page 2, line 13.
Following: "made"
Insert: "a financial"
Following: "commitments"
Insert: "after completing an application for an environmental permit"

2. Page 2, line 16.
Strike: "rules"
Insert: "requirements in such a permit"

3. Page 2, line 17.
Following: "detriment."
Insert: "Therefore where a person makes a financial commitment after completing an application for an environmental permit it is the policy of the state not to change the requirements in such a permit to the detriment of such persons except upon a showing of clear and convincing evidence of need to protect public health or the environment or to comply with federal regulations."

48TH LEGISLATIVE SESSION

MINUTES OF
NATURAL RESOURCES COMMITTEE
MONTANA STATE SENATE

March 18, 1983

An executive session of the Senate Natural Resources Committee was called to order by Senator Harold L. Dover, Chairman, at 12:30 p.m. on Friday, March 18, 1983 in Room 405, Capitol Building, Helena, MT.

ROLL CALL: Roll was called by the secretary, a majority of members was present, Senators Lee, Van Valkenburg and Manning were excused.

ACTION ON HOUSE BILL 228: Senator Halligan presented amendments to the bill, attached as Exhibit '1'. Page 2, line 13, following "made" insert "a financial", and insert "after completing an application for an environmental permit". Page 2, line 16, strike "rules" and insert "requirements in such a permit". Page 2, line 17, following "detriment" insert: "Therefore when a person makes a financial commitment after completing an application for an environmental permit it is the policy of the state not to change the requirements in such a permit to the detriment of such persons except upon a showing of clear and convincing evidence of a need to protect public health, the environment or comply with federal regulations." The title was also to be amended. Senator Halligan moved the amendments. All voted 'aye' and motion carried. Senator Halligan moved that HB 228 Be Concurred In as amended, motion carried by all voting 'aye'. Senator Halligan would carry the bill on the floor.

There being no further business to come before the committee the meeting was duly adjourned.

Harold L. Dover

SENATOR HAROLD L. DOVER, CHAIRMAN
SENATE NATURAL RESOURCES COMMITTEE

Patricia Hatfield

Patricia Hatfield
Committee Secretary

PROPOSED AMENDMENTS TO HB 228

2 ~~1.~~ Page 2, line 13.
Following: "made"
Insert: "a financial" of state commitments
Following: "commitments"
Insert: "after completing an application for an environmental permit"

3 ~~2.~~ Page 2, line 16.
Strike: "rules"
Insert: "requirements in such a permit"

4 ~~3.~~ Page 2, line 17.
Following: "detriment."
Insert: "Therefore where a person makes a financial commitment after completing an application for an environmental permit it is the policy of the state not to change the requirements in such a permit to the detriment of such persons except upon a showing of clear and convincing evidence of a need to protect public health, or the environment or ~~to~~ comply with federal regulations."

1. Title, ~~page~~ line 8
Following: "RULES"
Insert: "AFTER ~~COMPLETING~~ AN APPLICATION FOR AN ENVIRONMENTAL PERMIT HAS BEEN COMPLETE

March 18 19 83

MR. PRESIDENT:

We, your committee on NATURAL RESOURCES

having had under consideration HOUSE Bill No. 228

Quilici (Halligan)

Respectfully report as follows: That HOUSE Bill No. 228

third reading copy, be amended as follows:

1. Title, line 8.
Following: "RULES"
Insert: "AFTER AN APPLICATION FOR AN ENVIRONMENTAL PERMIT HAS BEEN COMPLETED"

2. Page 2, line 13.
Following: "made"
Strike: "commitments"
Insert: "a financial commitment after completing an application for an environmental permit"

3. Page 2, line 16.
Strike: "rules"
Insert: "requirements in such a permit"

(cont.)

DO PASS

Chairman.

SEN. HAROLD L. DOVER

STATE PUB. CO.
Helena, Mont.

March 18 19 83

SENATE NATURAL RESOURCES COMM.
HOUSE BILL 228
Page 2

4. Page 2, line 17.
Following: "detriment."
Insert: "Therefore, when a person makes a financial commitment after completing an application for an environmental permit it is the policy of the state not to change the requirements in such a permit to the detriment of such persons except upon a showing of clear and convincing evidence of a need to protect public health, the environment or comply with federal regulations."

And, as so amended,
BE CONCURRED IN

SEN. HAROLD L. DOVER, Chairman

STATE PUB. CO.
Helena, Mont.